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VIA ECF

Hon. Margaret M. Garnett
United States District Court
Southern District of New York
40 Foley Square, Room 2102
New York, NY 10007

Re: *Martin v. Brighthouse Life Insurance Company*, Case No. 1:21-CV-02923

Dear Judge Garnett:

We represent Defendant Brighthouse Life Insurance Company (“Brighthouse”) in the above-referenced action. We submit this letter in support of Brighthouse’s request to continue to seal sensitive and proprietary commercial information relating to Brighthouse’s recent expense assumptions from 2018 and 2019 (“Expense Assumptions”) contained in excerpts of the Transcript of the Deposition of Terry M. Long, dated August 6, 2024 (“Long Transcript Excerpts”), attached as an exhibit to Plaintiff’s Response in Opposition to Brighthouse’s Motion to Strike the Expert Report of Terry M. Long (“Opposition”).¹ See ECF Nos. 103, 103-2. The proposed redactions pertain to testimony concerning previously sealed paragraphs of the Expert Report of Terry M. Long, dated April 25, 2024 discussing the Expense Assumptions. See ECF No. 100 (“August 30 Sealing Order”). Brighthouse submits that the Long Transcript Excerpts should be redacted, consistent with the Court’s August 30 Sealing Order sealing the Expense Assumptions. See *id.* As directed by the Court’s Order, dated September 3, 2024, ECF No. 105, Plaintiff will file a redacted version of the Long Transcript Excerpts consistent with the sealing sought herein.

¹ Plaintiff did not request to meet and confer with Brighthouse concerning any potential sealing application prior to filing the Opposition, and it is unclear why Plaintiff was “unable” to do so. ECF No. 102.

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Respectfully submitted,

/s/ Stacey J. Rappaport

Stacey J. Rappaport

Cc: Counsel of Record

Application GRANTED. For the reasons stated in the Court's August 30, 2024 Sealing Order (Dkt. No. 100), Defendant Brighthouse's motion to seal sensitive and proprietary commercial information relating to Brighthouse's 2018 and 2019 expense assumptions contained in excerpts of the deposition of Terry M. Long at Dkt. Nos. 103 and 103-2 is GRANTED. The Clerk of Court is respectfully directed to terminate Dkt. No. 110.

SO ORDERED. Dated September 11, 2024



HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE